THE MYSORE TRAFFIC CONTROL ACT, 1960

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MYSORE ACT No. 18 OF 1960.

(*First published in the* Mysore Gazette *on the Fifteenth Day of December* 1960).

THE MYSORE TRAFFIC CONTROL ACT, 1960

(*Received the assent of the Governor on the Seventh Day of November* 1960).

An Act to provide for the control of traffic in highways and public places in the State of Mysore and other matters connected therewith.

WHEREAS it is expedient to provide for the control of traffic in highways and public places in the State of Mysore and other matters connected therewith;

BE it enacted by the Mysore State Legislature in the Eleventh Year of the Republic of India as follows:—

CHAPTER I.

PRILIMINARY.

1. *Short title, extent and commencement.*—(1) This Act may be called the Mysore Traffic Control Act, 1960.

(2) It applies to the whole of the State of Mysore.

(3) (i) It shall come into force on such date as the State Government may, by notification, appoint.

(ii) If in any area, the Mysore Public Conveyances Act, 1959, is in force, the provisions of Chapter IV of this Act and the rules made thereunder corresponding to the provisions of the Mysore Public Conveyances Act, 1959, and the rules made thereunder, shall not apply to such area, and save as aforesaid the provisions of this Act shall have effect in such area.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(*a*) "animal" means any elephant, camel, horse, ass, mule, cattle, sheep or goat;

(*b*) "Driver" means in the case of a vehicle, the person in charge or control of the vehicle for the time being, and in the case of an animal, any person driving, leading, riding or otherwise managing or controlling the animal, and the words "drive", "driving" and "driven" shall be construed accordingly;

(*c*) "highway" means any public thoroughfare whether a road, street, lane, bridlepath or a foot track, whether surfaced or unsurfaced, or whether on land owned by Government or a local authority or on land belonging to a private person over which the public have or have acquired, a right of way by usage, and includes—

(i) the slope, berm, barrow pits, foot-paths. pavements and side drains of any such thoroughfare;

(ii) all bridges, culverts, causeways, carriageways or other road structures, built on or across such thoroughfares, and

(iii) the trees, fences, posts and other highway accessories and materials and material stacks on the thoroughfare or on land attached to the thoroughfare;

(*d*) "motor vehicle" means a motor vehicle as defined in the Motor Vehicles Act, 1939 (Central Act IV of 1939);

(*e*) "notification" means a notification published in the official Gazette;

(*f*) "permit" means the document issued by an authority competent to issue it authorising the use of the vehicle as a public vehicle;

(*g*) "prescribed" means prescribed by rules made under this Act;

(*h*) "public place" means a road, street, way or other place, whether a thoroughfare or not, to which the public have a right of access or over which they have a right to pass, and includes any place or stand at which passengers are picked up or set down by a public vehicle;

(*i*) "public vehicle" means any vehicle used or constructed or adapted to be used for the carriage of passengers or goods for hire or reward, other than a motor vehicle;

(*j*) "Schedule" means a Schedule to this Act:

(*k*) "vehicle" includes any wheeled conveyance drawn, propelled or driven by any kind of power including human, animal, motor, steam or electric power and includes any barrow, sledge, plough, drag or like vehicle, but does not include a motor vehicle.

CHAPTER II.

CONTROL OF TRAFFIC.

3. *Power to restrict the use of vehicles.*—The State Government or any authority authorised in this behalf by the State Government, if it is satisfied that it is necessary in the interest of public safety or convenience, or because of the nature of any road or bridge, may, by notification, prohibt or restrict subject to such exceptions and conditions as may be specified in the notification, the driving of vehicles or anmials either generally in a specified area or on a specified highway or part of a highway, and when such prohibition or restriction is imposed shall cause appropriate traffic signs to be placed or erected under section 4 at suitable places:

Provided that where any prohibition or restriction under this section is to remain in force only for a period of one month or less, notification thereof in the official Gazette shall not be necessary.

4. *Traffic signs.*—(1) The State Government or any authority authorised in his behalf by the State Government may cause or permit traffic signs of any size, colour, type or description, to be placed or erected in any highway or public place for the purpose of bringing to public notice any prohibitions or restrictions imposed under section 3, or generally for the purpose of regulating traffic other than motor vehicle traffic.

(2) Traffic signs erected under sub-section (1) for any purpose for which provision is made in the First Schedule shall have the meanings set forth in the First Schedule, but the authority empowered in this behalf by the State Government may make or authorise the addition to any sign set forth in the said Schedule of transcriptions of the words, letters or figures thereon in the Kannada script provided that the transcriptions shall be of similar size and colour to the words, letters or figures set forth in the First Schedule.

(3) Except as provided by sub-section (1) no traffic sign shall, after the commencement of this Act, be placed or erected on or near

any highway, but all traffic signs erected prior to the commencement of this Act by any authority competent to do so shall for the purposes of this Act be deemed to be traffic signs under the provisions of sub-section (1).

(4) Any authority authorised in this behalf by nofication by the State Government may remove or cause to be removed any sign or advertisement which is so placed in his opinion as to obscure any traffic sign from view or any sign or advertisement which is in his opinion so similar in appearance to a traffic sign as to be misleading.

(5) No person shall wilfully remove, alter, deface, or in any way tamper with any traffic sign placed or erected under this section.

(6) If any person accidentally causes such damage to a traffic sign as renders it useless for the purpose for which it is placed and erected under this section, he shall report the circumstances of the occurrence at the nearest police station, as soon as possible, and in any case within twenty-four hours of the occurrence.

5. *Main Roads.*—The State Government or any authority authorised in this behalf by the State Government may, by notification, or by the erection at suitable places of the appropriate traffic sign referred to in Part A of the First Schedule, designate certain roads as main roads for the purposes of the regulations contained in the Second Schedule.

6. *Duty to obey traffic signs.*—(1) Every driver of a vehicle or animal shall drive it in conformity with any indication given by a mandatory traffic sign and in conformity with the driving regulations set forth in the Second Schedule and shall comply with all directions given to him by any police officer for the time being engaged in the regulation of traffic in any public place.

(2) In this section "mandatory traffic sign" means a traffic sign included in Part A of the First Schedule or any traffic sign of similar form (that is to say consisting of or including a circular disc) displaying a device, word or figure and having a red ground or border or any prescribed sign painted or marked on the road or erected or displayed for the purpose of regulating traffic other than motor vehicle traffic under sub-section (1) of section 4.

7. *Signals.*—The driver of a vehicle shall on the occassions specified in the Third Schedule make the signals specified therein.

8. *Leaving vehicle or animal in dangerous position.*—No person in charge of a vehicle or animals shall cause or allow the vehicle or

animal to remain at rest on any highway in such a position or in such a condition or in such circumstances as to cause or is likely to cause danger, obstruction or undue inconvenience to other users of the highway or public place.

9. *Towing of person riding cycle.*—No driver of a vehicle shall tow a person riding a cycle and no person riding a cycle shall allow himself to be towed by any other vehicle.

10. *Leaving vehicle or animal unattended.*—No person in charge of a vehicle or animal shall allow such vehicle or animal to stand or proceed on a highway or public place unless it is under adequate control.

11. *Duty of driver to stop in certain cases.*—(1) The driver of a vehicle or animal shall cause the vehicle or animal, as the case may be, to stop and to remain stationery so long as may be reasonably necessary—

(*a*) when required to do so by any police officer in uniform, or

(*b*) when the vehicle or animal is involved in the occurrence of an accident to a person, animal or vehicle or of damage to any property, whether the driving or management of the vehicle or animal was or was not the cause of the accident or damage, and he shall give his name and address and the name and address of the owner of the vehicle or animal to any person affected by such accident or damage who demands it, provided such person also furnishes his name and address.

(2) The driver of a vehicle or animal shall, on demand by a person giving his own name and address and alleging that the driver has committed an offence punishable under section 19, give his name and address to that person.

12. *Duty of owner of vehicle or animal to give information.*—The owner of a vehicle or animal the driver of which is accused of any offence under this Act shall on demand by any police officer give all information regarding the name and address of the driver which is in his possession or could by reasonable diligence be ascertained by him.

13. *Duty of driver in case of accident and injury to person.*—When any person is injured, or damage to property to the amount of twenty-five rupees or more is caused as the result of an accident

in which a vehicle is involved, the driver of the vehicle or other person in charge of the vehicle shall—

(*a*) take all reasonable steps to secure medical attention for person so injured and, if necessary, convey him to the nearest hospital, unless the injured person, or his guardian, in case he is a minor, desires otherwise;

(*b*) give on demand by a police officer any information required by him or, if no police officer or other authority is present, report the circumstances of the occurrence as soon as possible, and in any case within twenty-four hours of the occurrence, at the nearest police station, or, if he continues his journey after the accident, at the next police station.

14. *Power to make rules for control of traffic.*—(1) The State Government may after previous publication by notification make rules for the purpose of carrying into effect the provisions of this Chapter, and different rules may be made for different areas of the State.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the removal and the safe custody of the vehicles including their loads which have broken down or which have been left standing or have been abandoned on a highway;

(*b*) the use of weighing devices;

(*c*) the determination, maintenance and management of parking places for the use of vehicles and animals and the fees, if any, which may be charged for their use;

(*d*) prohibiting the use of footpaths or pavements by vehicles or animals;

(*e*) subject to specified conditions the segregation to any specified part of a highway of specified classes and descriptions of vehicle or animal traffic;

(*f*) prohibiting or restricting the use of audible signals at certain times or in certain places;

(*g*) regulating the loading of vehicles and in particular limiting the loads carried in relation to the size and nature of the tyres fitted;

(*h*) a right of way for ambulances and fire bridge vehicles;

(*i*) prohibiting the use of devices designed to prevent the rotation of any wheel of a vehicle;

(*j*) the control of animals likely to frighten other animals or pedestrians;

(*k*) the control of children on highways;

(*l*) prohibiting the riding by more than one person at the same time of cycles other than cycles designed for the purpose;

(*m*) prohibiting the riding of more than two cycles abreast;

(*n*) limiting the age of drivers of vehicles;

(*o*) the inspection of loads carried on vehicles and animals;

(*p*) the use of nose-ropes for animals;

(*q*) regulating the driving of vehicles and animals at night;

(*r*) regulating the use of highways by pedestrians;

(*s*) generally, the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property or of obstruction to traffic;

(*t*) any other matter which is to be or may prescribed.

(3) The rules made under this section shall take effect on such date as may be specified in such rules and such date shall not be earlier than one month from the date of their publication of such rules in the official Gazette.

CHAPTER III.

CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF VEHICLES.

15. *General provision regarding construction and maintenance.*—Every vehicle used on a highway shall be so constructed and maintained as to prevent danger or inconvenience to persons using that vehicle and other road users.

16. *Power to make rules for construction, equipment and maintenance of vehicles.*—(1) The State Government may, after previous publication, by notification make rules regulating the construction, equipment and maintenance of vehicles used on highways and public places, and different rules may be made for different areas of the State.

(2) Without prejudice to the generality of the foregoing power, rules may be made under this section governing any of the following

matters either generally in respect of vehicles or in respect of vehicles of a particular class or description or in particular circumstances, nemely :—

(*a*) the width, height and length of vehicles,

(*b*) the size, nature and condition of wheels and tyres,

(*c*) brakes,

(*d*) lamps and reflectors,

(*e*) warning devices,

(*f*) the inspection of vehicles by prescribed authorities,

(*g*) regulating the particulars exhibited on vehicles and the manner in which such particulars shall be exhibited.

CHAPTER IV.

Control of Public Vehicles.

17. *Power to make rules for control of public vehicles.*—(1) The State Government may, after previous publication, by notification, make rules for regulation of the use of public vehicles, and different rules may be made for different areas of the State.

(2) Without prejudice to the generality of the foregoing power, rules may be made under this section governing any of the following matters either generally or in respect of public vehicles of a particular class or description or in particular circumstances, namely :—

(*a*) the issue, renewal ,modification or cancellation of permits and the transfer of permits from one person to another;

(*b*) the issue, renewal or cancellation of driving licences ;

(*c*) the issue of duplicate copies in place of prmits and driving licences mutilated, defaced, lost or destroyed;

(*d*) the preferring of appeals by persons aggrieved by the refusal of the authority competent to grant or renew a permit or a driving licence, or to transfer a permit or by the cancellation or modification of a permit or the cancellation of a driving licence, and the hearing and conduct of such appeals ;

(*e*) the documents, plates and marks to be carried by public vehicles, the manner in which they are to be carried and the language in which such documents are to be expressed ;

(*f*) the badges and uniforms to be worn by drivers;

(*g*) the fees to be paid in respect of permits, driving licences, duplicate copies of permits or driving licences, plates, badges, and appeals preferred under this Chapter;

(*h*) the production of permits and driving licences before specified officers for purposes of inspection;

(*i*) the conduct of persons licensed to act as drivers of public vehicles when acting as such and the conduct of passengers in such vehicles;

(*j*) the limiting of the number of public vehicles or public vehicles of any specified class or description for which permits may be granted in any specified area, or on any specified route or routes;

(*k*) the fixing of maximum or minimum fares or freights;

(*l*) the maximum number of passengers or the maxium quantity of goods that may be carried in a public vehicle;

(*m*) the conditions subject to which passengers, luggage or goods may be carried in a public vehicles;

(*n*) the construction and fittings of and the equipment to be carried by public vehicles, whether generally or in specified areas or on specified routes;

(*o*) the safe custody and disposal of property left in public vehicles;

(*p*) the conveyance in public vehicles of corpses or persons suffering from infectious or contagious diseases or goods likely to cause discomfort or injury to passengers and the inspection and disinfection of such vehicles, if used for such purposes;

(*q*) the requirements which shall be complied with in the construction or use of any stand or halting place, including the provision of adequate equipment and facilities for the convenience of all users thereof, the fees, if any, which may be charged for the use of such facilities, the records which shall be maintained at such stands or places, the staff to be employed thereat and the duties and conduct of such staff, and generally for maintaining such stands and places in a serviceable and clean condition;

(*r*) requiring the person in charge of a public vehicle to carry any person tendering the legal or customary fare;

(*s*) the inspection of public vehicles including animals used to drive them;

(*t*) the records to be maintained and the returns to be furnished by the owners of public vehicles;

(*u*) the appointment, terms of appointment, jurisdiction control and functions of authorities for the purpose of administering the provisions of this Chapter; and

(*v*) any other matter which is to be or may be prescribed.

(3) The rules made under this section shall take effect on such date as may be specified in such rules and such date shall not be earlier than one month from the date of the publication of such rules in the Official Gazette.

CHAPTER V.

MISCELLANEOUS.

18. *General provision regarding punishment of offences.*—Whoever contravenes any provision of this Act or of any rule made thereunder shall, if no other penalty is provided for the offence, on conviction, be punishable with fine which may extend to ten rupees, or if having been previously convicted of any offence under this Act, he is again convicted of an offence under this Act, with fine which may extend to fifty rupees.

19. *Driving recklessly or dangerously.*—Whoever drives a vehicle or animal on a highway at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case including the nature, condition and use of the highway or public place where the vehicle or animal is driven and the amount of traffic which actually is at the time or which might reasonably be expected to be in the highway shall be punishable on a first conviction for the offence with fine which may extend to one hundred rupees and for a subsequent offence with fine which may extend to two hundred rupees.

20. *Power to arrest without warrant.*—(1) A police officer in uniform may arrest without warrant—

(*a*) any person who being required under the provisions of this Act to give his name and address refuses to do so, or gives a name and address which the police officer has reason to believe to be false, or

(*b*) any person concerned in an offence under this Act or reasonably suspected to have been so concerned, if the police officer has reason to believe that he will abscond or otherwise avoid the service of summons.

(*c*) A police officer or other authority arresting without warrant the driver of a vehicle or animal shall, if the circumstances so require, take or cause to be taken any steps he may consider proper for the temporary custody of the vehicle or animal.

2. *Summary disposal of cases.*—(1) A court taking cognizance of an offence under this Act may state upon the summons to be served on the accused person that he—

(*a*) may appear by a legal practitioner and not in person, or

(*b*) may by a specified date prior to the hearing of the charge plead guilty to the charge by registered letter and remit to the court such sum as the court may specify.

(2) Where an accused person pleads guilty under clause (*b*) of sub-stction (1) and remits the sum specified, no further proceedings in respect of the offence shall be taken against him.

22. *Rules to be laid before State Legislature.*—All rules made under this Act shall be laid, as soon as may be, after they are made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions and if before the expiry of the said period, either House of the State Legislature makes any modification in any rule or directs that such rule shall not have effect and if the modification or direction is agreed to by the other House such rule shall thereafter have effect only in such modified form or be of no effect, as the case may be.

23. *Existing bye-laws to continue.*—Notwithstanding anything contained in this Act, all bye-laws in force at the commencement of this Act,

(i) which have been made under the Bombay Municipal Boroughs Act, 1925 (Bombay Act XVIII of 1925), the Bombay District Municipal Act, 1901 (Bombay Act III of 1901), the Coorg Municipal Regulation, 1907 (Central Regulation II of 1907), the Hyderabad District Municipalities Act, 1956 (Hyderabad Act XVIII of 1956), and

(ii) which have been continued by the Madras Traffic Control Act, 1938 (Madras Act V of 1938), and the Mysore Traffic Control Act, 1955 (Mysore Act 13 of 1956),

shall, so far as they, are consistent with the provisions of this Act, continued to be valid, but any such bye-laws may be cancelled or altered by a rule made under this Act.

24. *Repeal and savings*.—The enactments specified in the Fourth Schedule are repealed to the extent mentioned in the fourth column thereof:

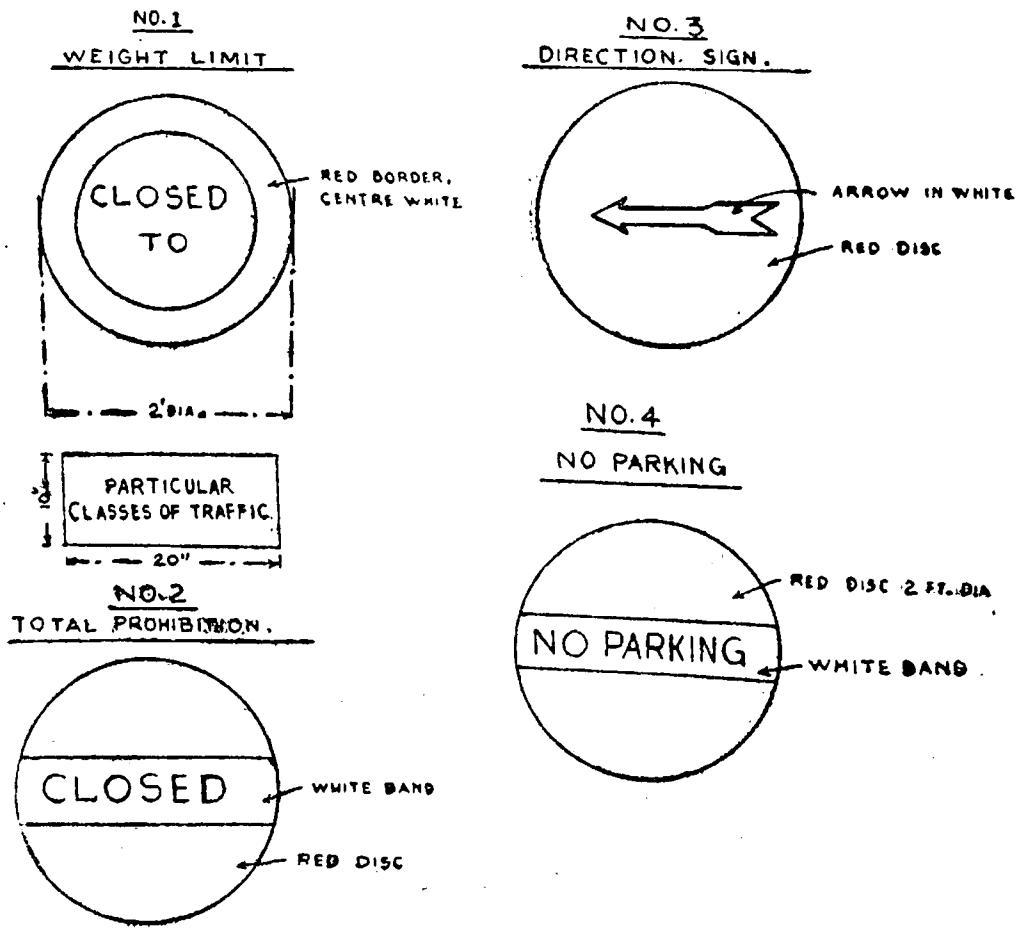
Provided that the provisions of section 6 of the Mysore General Clauses Act, 1890 (Mysore Act III of 1899), shall be applicable in respect of the repeal of the enactments specified in serial numbers 5, 6 and 7 of the Fourth Schedule and section 8 and section 24 of the said Act shall be applicable as if the said enactments had been repealed and re-enacted by this Act.

FIRST SCHEDULE

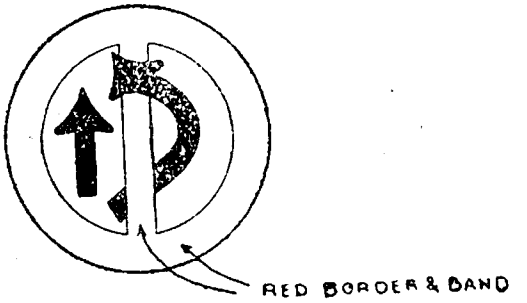
(*See* sections 5 and 6)

Traffic Signs

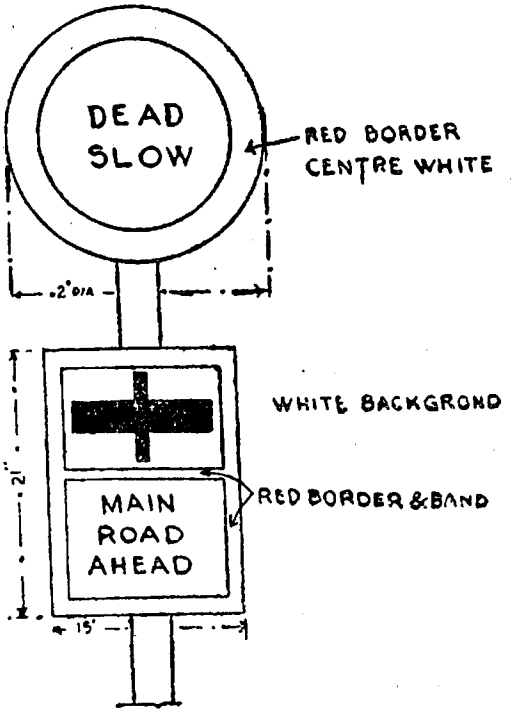
PART A—Mandatory Signs



NO. 5
OVER TAKING PROHIBITED.

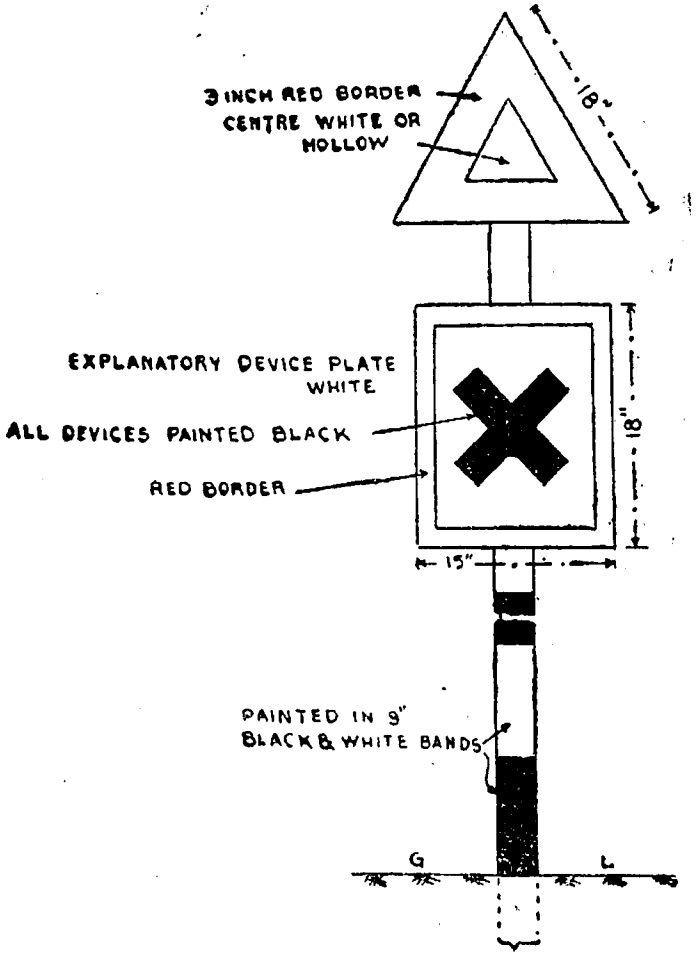


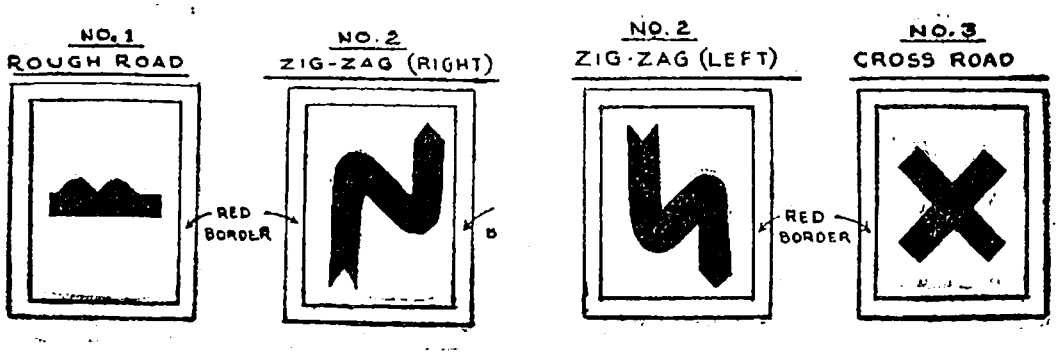
NO. 6
MAIN ROAD AHEAD

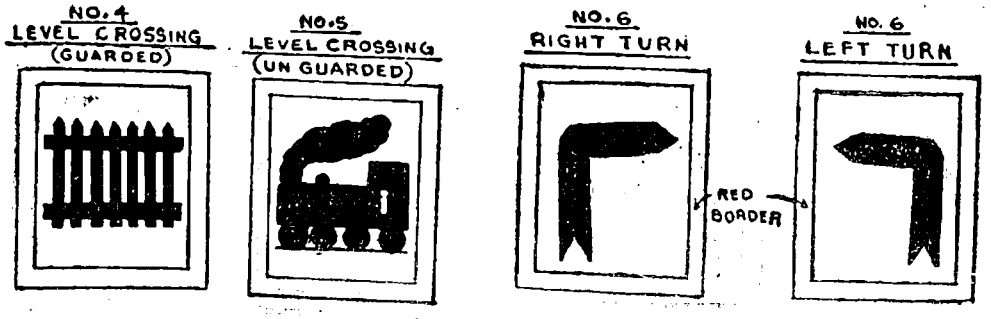


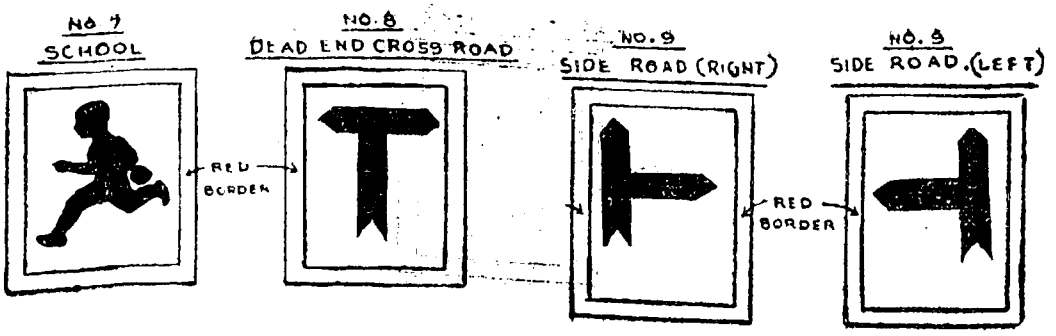
PART. B-CAUTIONARY SIGNS

GENERAL DESIGN

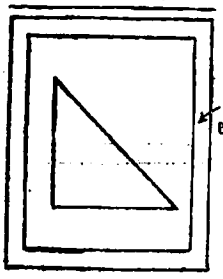



NO. 1
ROUGH ROAD
NO. 2
ZIG-ZAG (RIGHT)
RED BORDER
B
NO. 2
ZIG-ZAG (LEFT)
NO. 3
CROSS ROAD
RED BORDER


NO. 4
LEVEL CROSSING
(GUARDED)
NO. 5
LEVEL CROSSING
(UN GUARDED)
NO. 6
RIGHT TURN
NO. 6
LEFT TURN
RED BORDER

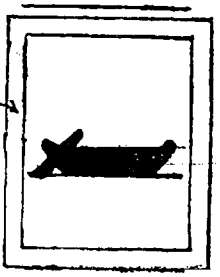

NO. 7
SCHOOL
NO. 8
DEAD END CROSS ROAD
NO. 9
SIDE ROAD (RIGHT)
NO. 9
SIDE ROAD. (LEFT)
RED BORDER
RED BORDER

NO. 10
STEEP HILL



RED BORDER

NO. 11
FERRY



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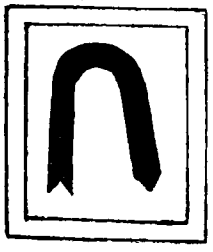
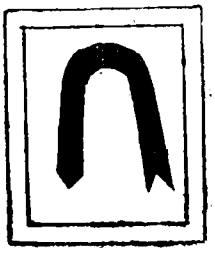
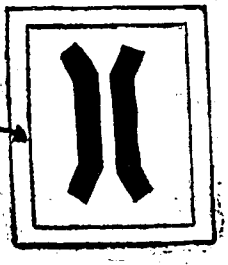
HAIR PIN BEND (RIGHT)



NO. 12
HAIR PIN BEND (LEFT)



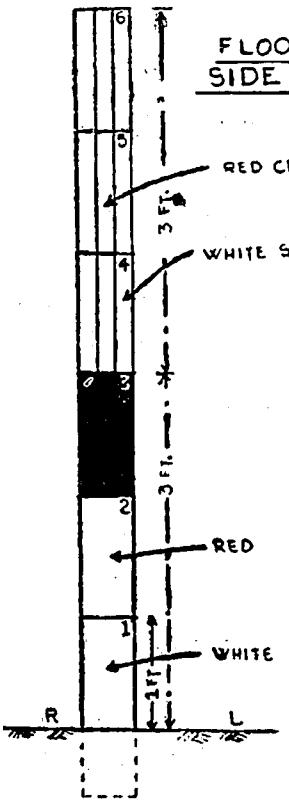
NO. 13
NARROW BRIDGE



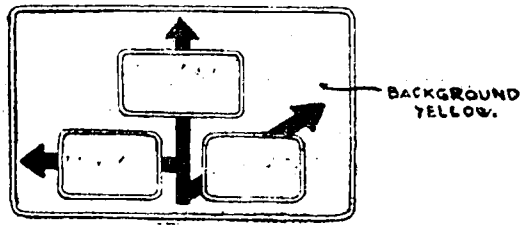
RED BORDER

PART. C. INFORMATORY SIGNS

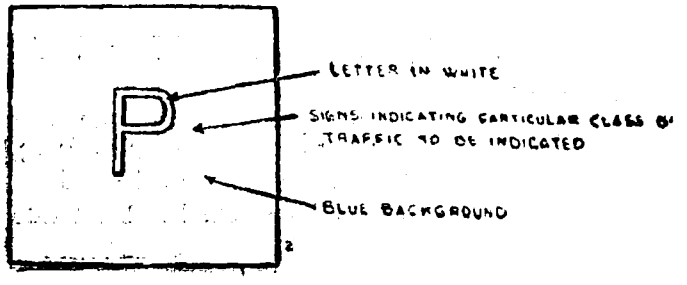
NO. 1
FLOOD GAUGE.
SIDE ELEVATION.



NO: 2.
ROAD JUNCTION APPROACH.



NO: 3
PARKING SIGN



SECOND SCHEDULE

(*See* sections 4, 5 and 6)

Driving Regulations

1. The driver of a vehicle or animal shall drive the vehicle or animal as the case may be, as close to the left-hand side of the road as may be expedient and shall allow all traffic which is proceeding in the opposite direction to pass him on his right hand side.

2. Except as provided in regulation 3, the driver of a vehicle or animal when passing shall drive to the right of all traffic proceeding in the same direction as himself.

3. The driver of a vehicle or animal when passing may drive to the left of a motor vehicle or a vehcile or an animal the driver of which having indicated an intention to turn to the right has driven to the centre of the road.

4. The driver of a vehicle or animal shall not pass a vehicle travelling in the same direction as himself—

(*a*) if the passing is likely to cause inconvenience or danger to other traffic proceeding in any direction;

(b) where a point or corner or a hill or an obstruction of any kind renders the road ahead not clearly visible.

5. The driver of a vehicle or animal shall not, when being overtaken or being passed by any class of traffic, do anything in any way to prevent the other traffic from passing him.

6. The driver of a vehicle or animal shall drive slowly when approaching a road intersection, a road junction or a road corner and shall not drive into or cross any such intersection or junction until he has become aware that he may do so without endangering the safety of persons thereon.

7. The driver of a vehicle or animal shall on entering a road intersection, if the road entering is a main road designated as such, give way to traffic proceeding along that road and in any other case give way to all traffic approaching the intersection on right hand.

8. The driver of a vehicle or animal shall—

(*a*) when turning to the left, drive as close as may be to the left hand side of the road from which he is making the turn and of the road which he is entering;

(*b*) when turning to the right, draw as near as may be to the centre of the road along which he is travelling and cause the vehicle or animal to move in such a manner that—

(i) so far as may be practicable it passes beyond, and so to leave on the driver's right hand a point formed by the intersection of the centre lines of the intersection roads; and

(ii) it arrives as near as may be at the left hand side of the road which the driver is entering.

THIRD SCHEDULE

(*See* section 7)

SIGNALS

1. When about to turn to the right or to drive to the right hand side of the road in order to pass another vehicle or for any other purpose, the driver of a vehicle shall extend his right arm or a whip if carried, in a horizontal position to his right outside the vehicle or otherwise so as to be visible from behind.

2. When the driver of a vehicle wishes to indicate to the driver of a motor vehicle or a vehicle behind him that he desires that driver to overtake him, he shall extend his right arm, or a whip if carried, horizontally to his right outside the vehicle or otherwise so as to be visible from behind and shall swing the arm or a whip, as the case may be backwards and forwards in a semi-circular motion.

FOURTH SCHEDULE

(See section 26)

ENACTMENTS REPEALED

1.	The Bombay District Municipal Act, 1901 (Bombay Act III of 1901).	Clause (t) of sub-section (1) of section 48.
2.	The Bombay Municipal Boroughs Act, 1925 (Bombay Act XVIII of 1925).	Clause (z) of sub-section (1) of section 61.
3.	The Coorg Municipal Regulation, 1907 Central Regulation II of 1907).	Clause (r) of sub-section (1) of section 99.
4.	The Hyderabad District Municipalities Act, 1956 (Hyderabad Act XVIII of 1956).	Clause (r) of section 311.
5.	The Mysore Highway Act, 1920 (Mysore Act IV of 1920).	The whole.
6.	The Mysore Traffic Control Act, 1955 (Mysore Act 13 of 1956).	The whole.
7.	The Madras Traffic Control Act, 1938 (Madras Act V of 1938).	The whole.

WD 9205—GPB—12,500—6-11-1970